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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,432	08/31/2000	John M. Davis	INTL-0436-US (P9448)	3794

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EXAMINER

JEAN, FRANTZ B

ART UNIT PAPER NUMBER

2151

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/652,432

Applicant(s)

DAVIS, JOHN M.

Examiner

Frantz B. Jean

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/27/05 has been entered.

Claims 1-30 are still pending in this application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-13, 15-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Pinard et al. hereinafter Pinard US Patent Number: 6,230,287 B1.

With respect to claim 1, Pinard teaches a method comprising: receiving a client request for help related to a web page (abstract; col. 3 lines 30-41); and automatically providing information to remotely access said web page (col. 3 lines 30-41; col. 5 lines 18-45).

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Claim 11 is essentially the same as claim 1, and is rejected on the same basis. Pinard teaches the further limitation of an article comprising a medium storing instructions that enable a processor based system ... (Fig. 1).

Claim 21 is essentially the same as claim 1, and is rejected on the same basis. Pinard teaches the further limitation a processor (Fig. 1); and a storage coupled to said processor (Fig. 1; see col. 4 lines 40 et seq).

With respect to claim 2, Pinard teaches the method of claim 1 including automatically initiating a chat session in response to the client request for help (col. 6 lines 12-24).

Claim 12 is essentially the same as claim 2, and is rejected on the same basis.

Claim 22 is essentially the same as claim 2, and is rejected on the same basis.

With respect to claim 3, Pinard teaches the method of claim 2 including automatically initiating the chat session with a help service provider in response to the client request for help (col. 6 lines 12 et seq).

Claim 13 is essentially the same as claim 3, and is rejected on the same basis.

Claim 23 is essentially the same as claim 3, and is rejected on the same basis.

With respect to claim 5, Pinard teaches the method of claim 1 wherein receiving the client request for help includes providing a client agent which obtains a Uniform Resource Locator identifying the web page and forwards the Uniform Resource Locator to a remote processor-based system (Fig. 1; col.4 line 64 to col. 5 line 45).

Claim 15 is essentially the same as claim 5, and is rejected on the same basis.

Claim 24 is essentially the same as claim 5, and is rejected on the same basis.

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With respect to claim 6, Pinard teaches the method of claim 5 further including collecting information about a client and forwarding said information to the remote system (col. 4 lines 5-27).

Claim 16 is essentially the same as claim 6, and is rejected on the same basis.

With respect to claim 7, Pinard teaches the method of claim 1, and also requesting live help from a web page (col. 6 lines 12 et seq; see also col. 4 lines 51 et seq), which is equated with wherein receiving the client request for help includes receiving a client selection of a help icon.

Claim 17 is essentially the same as claim 7, and is rejected on the same basis.

With respect to claim 8, Pinard teaches the method of claim 7 including extracting information about a remote processor-based system from said web page (col. 5 lines 3-45; col. 6 lines 12 et seq).

Claim 18 is essentially the same as claim 8, and is rejected on the same basis.

With respect to claim 9, Pinard teaches the method of claim 1 including initiating a chat session between a remote processor-based system and said client (col. 6 lines 12 et seq).

Claim 19 is essentially the same as claim 9, and is rejected on the same basis.

With respect to claim 26, Pinard teaches the method comprising: receiving information about a web page accessed by a processor-based system; and using said information to simultaneously access the same web page (col. 4 lines 9 et seq; col. 6 lines 12 et seq)).

Claim 28 is essentially the same as claim 26, and is rejected on the same basis. Pinard teaches the further limitation an article comprising a medium storing instructions that enable a processor-based system to (Fig. 1).

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Claim 30 is essentially the same as claim 26, and is rejected on the same basis. Pinard teaches the further limitation a processor (Fig. 1); and a storage coupled to said processor (Fig. 1).

With respect to claim 27, Pinard teaches the method of claim 26 including implementing a chat session with the processor-based system at the same time said web page is being accessed (col. 6 lines 12 et seq).

Claim 29 is essentially the same as claim 27, and is rejected on the same basis.

With respect to claims 10, 20 and 25, overlaying a chat dialog box over a web page is implicit in Pinard's text interface (see col. 6 lines 11-24).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negatived by the manner in which the invention was made.

Claims 4 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pinard.

With respect to claim 4, Pinard teaches the method of claim 1. Price also teaches requesting live help from a web page (col. 6 lines 12 et seq; col. 3 lines 30 et seq), receiving help from an available agent in response to the request, and sharing a web page that both customer and agent are drawing on. However, Pinard does not explicitly state automatically initiating a web refresh in response to a client request for help. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate an automatic web page refresh, into Pinard, when sharing a web page between customer and agent and a

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change is made or help is given related to the web page. One of ordinary skill in the art would use a web page refresh to update the web page when changes are made while receiving live help using synchronous web pages. This is advantageous for both the customer and agent in seeing the live help being given for the displayed web page as it occurs.

Claim 14 is essentially the same as claim 4, and is rejected on the same basis.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz B. Jean whose telephone number is 571-272-3937. The examiner can normally be reached on 8:30-6:00 M-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571 272 3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantz Jean


FRANTZ B. JEAN
PRIMARY EXAMINER